

Genuine Edition.

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THE
T R I A L
OF
RICHARD PARKER,

FOR MUTINY, &c. &c.

ON BOARD OF HIS MAJESTY'S FLEET AT THE NORE.

TO WHICH IS ADDED.

AN ACCOUNT OF HIS BEHAVIOUR DURING
THE WHOLE PROCEEDINGS.

AND
AT THE PLACE OF EXECUTION.

WITH
A DESCRIPTION OF HIS PERSON.

12.
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1797.

Rec. Feb. 20, 1873

TRIAL

OF

RICHARD PARKER.

COURT MARTIAL at GREENHYTHE.

ON the morning of the 22d June, a gun was fired from his Majesty's ship Neptune, of 98 guns, Captain Stanhope, at anchor off Greenhythe, when the union jack was hoisted at the mizen peak, as a signal for the trial, and for the officers to assemble on board.—As soon as the Court was formally assembled, the doors were thrown open, and

Richard Parker, late a supernumerary seaman on board the Sandwich guard-ship, lying at the Nore, was brought into Court in custody of a Deputy Marshal Provost of the Admiralty, and placed at the lower end thereof, on the left hand of the Judge Advocate; the Provost standing by his side with a drawn sword in his hand, erected in the face of the prisoner; and was the only man in Court who wore his hat during the proceedings.

The following Gentlemen composed the Court :

ADMIRAL PASLEY, PRESIDENT.

Sir E. Gower,	Neptune.
Captain Stanhope,	Agincourt.
—— Williamfon,	Centaur.
—— Markham,	Lancaster.
—— Wells,	Endymion.
Sir J. Williams,	Princess Augusta.
—— Riou,	Hydra.
—— Laforrey,	Syrius.
—— King,	Acosta.
—— Lane,	Naiad.
—— Pierrepont,	

The Members of the Court being sworn, and Mr Benthead, the Deputy Judge Advocate, having taken the oath of secrecy,

The order of Government to the Lord High Admiral for the Court Martial was read. It stated, "Whereas we have received information from Vice Admiral Buckner, commander of the fleet at the Nore, and by divers other letters, that a mutiny had taken place on board the Sandwich, on or about the 12th of May last, and did continue for several days, to the evil example of his Majesty's fleet, and that Richard Parker was active in promoting the same; whereas, we think fit that the said Richard Parker should be tried by a Court Martial for such offence, we therefore direct you to assemble a Court Martial, to inquire into the conduct of the said Richard Parker, on board his Majesty's ships, or any of them, and also, for his contempt and disobedience of his officers."

The following oath was then taken by the several Captains composing the Court :

"I A. B. do swear, That I will duly administer
Justice, according to the Articles and Orders established by an Act passed in the Twenty-second
" year

“ year of the Reign of his Majesty King George
 “ the Second, for amending, explaining, and reducing
 “ into one act of Parliament, the Laws relating to
 “ the Government of his Majesty’s ships, vessels, and
 “ forces by sea, without partiality, favour or affec-
 “ tion; and if any case shall arise which is not particu-
 “ larly mentioned in the said Articles and Orders, I
 “ will duly administer justice according to my con-
 “ science, the best of my understanding, and the cus-
 “ tom of the Navy in the like cases; and I do further
 “ swear, that I will not, upon any account, at any
 “ time whatsoever, disclose or discover the vote or
 “ opinion of any particular Member of this Court
 “ Martial, unless thereunto required by Act of Par-
 “ liament. “ So help me God.”

All the witnesses were ordered out of Court, till such time as they should be called to be examined.

John Sims a witness, who had been summoned on behalf of the prisoner, not appearing, Mr John Snipe, the surgeon of the *Sandwich*, was sworn, and stated that the witness the prisoner had called, was confined to his bed by illness.

Captain Knight, on the part of the witnesses summoned by the prisoner, in his defence, asked of the Court, whether it would be necessary for all those who were summoned to attend during the whole of the evidence of the prosecution?

The Court treated this as a novel application, and were decidedly of opinion, that all persons summoned should attend, as it was uncertain when they might be called on.

The oath administered to each witness was, “ I
 “ swear by God, and as I shall answer to Almighty
 “ God, at the day of judgment, that the evidence I
 “ shall give shall be the truth, the whole truth, and
 “ nothing but the truth.” “ So help me God.”

Captain Moss, of the *Sandwich*, appeared as prosecutor.

The charges against the prisoner were then read.

These were.—“ For causing or endeavouring to
 “ cause mutinous assemblies on board his Majesty’s
 “ ship Sandwich, and others of his Majesty’s ships at
 “ the Nore, on or about the 12th of May last ; for
 “ disobeying the lawful orders of his superior offi-
 “ cers, and for treating his officers with disrespect.”

Charles Buckner, Admiral of the White, sworn.

Q. Did the prisoner belong to the Sandwich?—

A. Yes ; he was reported to me as belonging to her, but I do not know in what capacity.

Q. Do you know the prisoner?—A. Yes,

PRESIDENT.—Relate to the Court what you know of the prisoner’s making any mutinous attempts on board his Majesty’s fleet, on or about the 12th day of May last, or of any disrespectful conduct or expressions used by him on board or on shore, at any time afterwards, during the said mutiny.—A. I know nothing of the prisoner individually. The first time I observed any thing particular in the prisoner’s conduct, further than parading about with a vast number of people and a red flag preceding them on shore, was on or about the 20th of May, when I went on board the Sandwich, for the purpose of making known to the people of that ship, and other ships, his Majesty’s proclamation of pardon, on their returning to their duty, on the terms granted to their brethren at Spithead, which they (the men styling themselves Delegates, with Parker the prisoner among them) had previously declared they would be satisfied with. On going on board with the flag in my boat, there was no preparation for receiving me, nor any respect shewn me whatever. The officers, as I understood, were without their side-arms, and had no command of the ship. Unwilling to return on shore without having an opportunity

opportunity of speaking to the people, I waited a considerable time, when Parker, the prisoner, with others, came on the quarter-deck, and said, that none but themselves, (meaning, I presume, the ship's company) should be there. He (the prisoner) then tendered me a paper, containing what he and the rest called a list of grievances, saying at the same time, till those were redressed, and the personal attendance of the Admiralty ratified it, they would not give up the power they held in their hands. Finding any thing I could say of no avail, I went on shore. On or about the 22d, certain troops arrived at Sheerness. I do not speak individually of Parker, but of the mutineers in general. About the 23d, my flag was struck on board the Sandwich: I don't say by whom; I don't charge any individual; it was struck without orders. About that time, the evening of that day, I was at the Commissioner's house: while I was examining into the complaints alleged against two marines by part of the military, a man whom they called Davies, with I believe three or four others, came abruptly into the Commissioner's house at Sheerness, and demanded why those men, meaning the marines, were in custody? they said my flag was struck, that I had no authority, and that the power was in their hands. They then took the men away, as they said, to try them for being on shore. I avoid repeating what I said to them. It may be taken for granted, I remonstrated as much as possible with them. Parker told me that he was not to be intimidated. About the 4th of June I received a letter from Parker, to the best of my recollection, styling himself President, signed with the name of Richard Parker, saying that Administration had acted improperly in stopping the provisions allowed to the men, and that the *foolish proclamation* was calculated to inflame the minds of honest men. I have nothing particular more to

relate. I have had frequent conferences with him, at the head of many others, with the hopes of bringing them to a sense of their mutinous conduct, but without effect. He, the prisoner, took the lead as spokesman.

Q. Did he act with any degree of insolence?—

A. Sometimes, not always. He took the lead, appealing to them whether he was not authorised, and whether it was not their wish he should do so; and he even prevented one man in particular, whose name I know not, from answering a question I had put to him.

Q. Was he a seaman?—A. I do not know.—He prevented him with threats, saying, "If you speak, I will speak to you." While I was on board the Sandwich, I expostulated with them on the impropriety of keeping those disgraceful ropes called yard-ropes, on board, and endeavoured to prevail on them to pull them down. The men styling themselves Delegates, replied, that the ship's company would not suffer them.

PRESIDENT. In the different conferences you had with the prisoner, did there appear any insolence in his behaviour?—A. Frequently, but not uniformly so: very often otherwise: sometimes there was a great deal of modesty in his behaviour, and he conducted himself with a great deal of apparent respect.

PRESIDENT. Who was the officer that brought the report of the mutiny? Was Lieut. Justice the officer who brought the report of the mutiny having broke out in the Sandwich on the morning of the 12th of May?—A. Yes.

Q. Did you not order Lieut. Justice of the Inflexible, while I was president at a court martial, to break up that court, and wait on you for orders?—A. Yes.

PRESIDENT. Read Admiral Buckner's letter.

Admiral Buckner's letter was here read, giving
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an account of the mutiny. It was dated 12th May, at Sheerness, and stated, that a mutiny had made its appearance at the Nore, on board the Sandwich; that the crew had taken the command from the officers, and that the marines had joined them. The letter then proceeded to describe the mutiny generally, and concluded by observing, that it had been originally owing to a disbelief of the act of Parliament having passed, and that it had afterwards been fomented by mischievous individuals.

A letter from Captain Moss was next read, giving an account of the mutiny having broke out. The next letter was one of Parker's, which had been sent to Admiral Buckner. It was brought on shore by an old man, after the proclamation had been sent on board the fleet. The letter was dated the 3d of June, and was to the following effect:

"I am commanded by the committee of the Sandwich to inform you that they have this day taken possession of, and appointed delegates for the whole fleet. We are uniformly of opinion that the conduct of the Admiralty has been highly improper, in stopping the provisions allowed by Government to the seamen, and that the foolish proclamation which we have received is only calculated to exasperate the minds of a set of honest men, who would never be more happy than in serving their country.

"To Admiral Buckner."

Being asked, whether he was certain the letter was genuine, he expressed his certainty that it was from Parker.

Q. What number of persons were there at the Commissioner's house, when the two marines were examined?—A. There were Parker and Davies, and four or five more.

Q. What

Q. What number of military were the marines in charge of?—I do not know.

Cross examined by Parker the prisoner.

Q. You have related that you was on board the Sandwich on or about the 20th of May, and received no respect. Who was on board first, you or myself?—A. I believe I was.

Q. Do you deem me the person that caused you to be received with no respect?—A. Not having seen you in any overt acts of mutiny, I cannot speak to that question.

PARKER. I ask the question to show that I did not influence the ship's company. Did I not come to you on the quarter-deck, and inform you it must have originated entirely in a mistake, that you was not received with that honour due to you; but that if you would excuse it then, we were ready to give you three cheers now?—A. He did come to me and say that it was a mistake, and that no disrespect was intended me. Some faint attempts were made to man the yards, but it subsided, and the yard-ropes continued.

Q. Do you recollect going on shore the same day with the Sandwich's and some other boats attending, and seeing your flag hauled down?—A. I did not observe the flag was hauled down: several boats attended me.

PARKER. I was in the boat when your flag was hauled down: I observed it with a great deal of sorrow.

COURT. When the prisoner treated you with respect and modesty, was it privately or publicly before the ship's company?—A. I never had any private conversation with him, and never saw him before the ship's company but once, and never on board the Sandwich but once. At all other times it was with a number of persons calling themselves Delegates.

Q. When

Q. When the prisoner came to you on the 20th May, and apologised for due respect not having been paid to you, did he appear to you to have any influence, or to command the people on board by his authority, or to be active in the ship?—**A.** I conceived, by his coming to me to make that apology, that he must have had some command in the ship. I had no opportunity of observing him after he left the quarter-deck, till he came with the written paper as before mentioned in my former evidence.

*Lieutenant Justice, Second Lieutenant of the Sandwich,
sworn.*

Q. Do you know the prisoner?—**A.** Yes.

Q. Have you heard the charges read?—**A.** Yes.

Q. Did the prisoner belong to the Sandwich, and in what station?—**A.** Yes; he was a supernumerary seaman.

Q. How long has he belonged to it?—**A.** I cannot say; I was at the Admiralty when he came on board.

Be pleased to relate to the Court, as directed to the foregoing witness.

I never saw the prisoner on the 12th of May. I was turned ashore on Friday the 12th of May. I can't say by whom. A paper was sent aft, for certain officers to quit the ship. At eight o'clock I piped to breakfast; at half past nine, I gave orders to turn the hands up and clear hawser. The ship's company all got forward on the booms, and gave three cheers, which were immediately answered by the Director ship's company; immediately our ship hove yard-ropes, and pointed the fore-castle guns to the quarter-deck. I immediately went forward, and remonstrated with them as to their conduct; they all answered, they wanted their grievances redressed.

COURT.

COURT. What do you know of the prisoner?—

A. I know nothing of him. I know only of the general mutiny; the first time I saw him was on the 11th, when he came with a letter on the fore-castle, when the guns were pointed aft.

Q. On the 12th, when they gave three cheers, was there no particular person that appeared to you to take a leading part in the transactions going on?—

A. No: I did not see. They were one and all.

Q. Was you the commanding officer of the Sandwich on the 11th as well as the morning of the 12th of May?—A. I was, publicly on the quarter-deck.

Q. Did you read an official paper sent off by Admiral Buckner, representing the vote of the House of Commons, of the granting the sum of L.372,000, to answer the expences which the requisition of the seamen had rendered necessary?—

A. I did.

Q. How was it received?—A. With three cheers, as I read it.

Prosecutor. On returning to the Sandwich in the morning of the 12th of May, after reporting the mutiny that existed, do you remember acquainting me the people had given charge of the ship to Mr Bray, the Master?—A. I think I do, Sir.

Q. You must recollect—A. Yes; I did.

Q. Do you remember orders being given that no officer should interfere, the master having orders from the Committee, or a set of men who had usurped the power, not to interfere with any duty of the ship, or with any officers?—A. I heard that as soon as I returned from the shore.

Q. Did I not, notwithstanding, direct the boat-swain might pipe all hands?—A. Yes.

Q. Was it obeyed by the people?

This question was not answered, nor was the examination continued.

Cross

Cross examined by Parker.

Q. You have said you know nothing of me?—

A. No: I do not.

Captain Edward O'Bryen, Commander of the Nassau, sworn.

Q. Do you know the prisoner?—A. I never saw him in my life. I was not on board from the commencement till after the mutiny was over.

Q. Was he ever on board the Nassau?—A. He was reported to be so; the boatswain was aboard; he is here.

Captain Fancourt, of the Agamemnon.

Q. Do you know the prisoner?—A. I never saw him before to-day.

Q. Was he ever on board the Agamemnon?—A. Never to my knowledge.

PRESIDENT. Has the prisoner any question to ask?—A. None, Sir.

Captain Cobb, of the Lion.

Q. Do you know the prisoner?—A. I never saw him before.

Q. Was he on board the Lion?—A. Not that I know of.

Q. Have you any question?—(to the prisoner)
A. No, Sir.

Thomas Parr, of the Standard.

Q. Do you know the prisoner?—A. I never saw him before.

Q. Was he ever on board the Standard?—A. Never to my knowledge.

Captain

Captain Robert Watson, of the Isis.

—Q. Do you know the prisoner?—A. I do not.

Q. Was he ever on board the Isis?—A. I have heard that he was.

Captain W. Harwood, of the Leopard.

Q. Do you know the prisoner?—A. No : I do not.

Q. Do you know of his being on board the Leopard?—A. I have heard he was.

Mr Snipe, Surgeon of the Sandwich, sworn.

Q. Do you know the prisoner?—A. Yes.

Q. What was he on board the Sandwich?—A. I understood he was a supernumerary seaman.

Q. How long has he belonged to the Sandwich?—A. I never recollect him before the 14th of May.

Report what you know, &c. (as before.)

In the afternoon of the 14th of May, I was ordered to attend the punishment of one of the seamen of the Sandwich, whose name is Campbell.

Q. By whom ordered?—A. By Mr Bray, the master, who said it was the committee's orders that I should attend the punishment. When I went on deck, the prisoner was standing on the gangway ; as soon as Campbell was tied up, Parker made a speech to the ship's company, acquainting them with the crime of Campbell, saying, If any of them violated the laws laid down by the committee, they must expect to share the same fate ; that was the general purport of his speech.

COURT. What do you mean by the Committee?—A. The assembly of people calling themselves Delegates in the Sandwich ; the prisoner was one of them. Two or three days after that, one of the ship's corporals belonging to the Sandwich, whose

name

name was Wilton, said to me in the ward-room, it was the committee's orders that I should immediately go between decks, and visit a man in irons, who he said was very ill. I accordingly went, and found the person had a fever. I desired the corporal to go to the committee, to say, it was dangerous to let the man remain in that situation. It was necessary for the man to be taken out of irons, and sent to his birth. He returned, and said it was the committee's order, for me to make my report in person.

I accordingly went to the starboard bay of the lower gun-deck, and there found a vast crowd of people assembled. I asked who I was to address; and the prisoner, Parker, desired me to address him. I told him it was necessary to remove the prisoner that was then in irons. The prisoner made answer, "It is not our intention to interfere with you at all. You may do with the sick whatever you may think proper." When I entered what they called the Committee-room, one of the people, whom I supposed to be a delegate, said, Take off your hat, Sir: another person, but not the prisoner, as I was looking round, cried out, Begone. I was two or three times before the committee. I in general received an answer from Parker, that I might do with the sick as I thought proper. On the 3d of June, I sent into the committee for permission to go on shore. I asked permission of Davies, who acted as commanding officer on deck. I was ordered down to the committee assembled in Captain Moss's cabin. I then asked their permission to go on shore, as I had some sick on board, which I wished to be removed to the hospital. The prisoner, Parker, recommended to the committee to let me go on shore, upon condition that I returned to my duty next morning; and hoped I would use my influence to get the whole of the sick of the fleet landed. I accordingly went on shore, and never returned on

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board.

board again until the ship was under the command of Captain Moss, the proper officer. One day in May, after the mutiny began, when the prisoner was speaking to Captain Moss, who was pointing out to him the numerous improprieties which men in a state of mutiny were guilty of, the prisoner said, that he was certain, until their grievances were redressed, there would not one of them shrink; for if they did, it was certain they would be run up to the yard-arm; (pointing to the ropes). I do not recollect any thing else for or against the prisoner.

PRESIDENT. You say, when you was on deck, you saw the prisoner haranguing. Did he appear to give orders?—A. After he had made his speech, he ordered the boatswain to do his duty.

Q. Did Parker give the orders for the man to receive a dozen lashes?—A. Yes; he did.

Q. At what time?—A. The punishment took place on the 14th of May.

Q. When you say you understood Davies acted as Captain, in what capacity did you conceive the prisoner acted?—A. As president of the committee; it was generally understood so by the officers, and every person.

Q. Do you recollect where the prisoner was sitting when you went into the committee-room, and what station he appeared to hold when he was sitting at the head of the table in Captain Moss's cabin?—A. As president.

Q. Did not the prisoner appear to be the principal person?—A. He did when I saw him.

Q. Do you remember the day the Admiral's flag was hauled down?—A. I do not immediately recollect the day of the month.

Q. Do you recollect that it was hauled down?—A. I saw the red flag in its place; I went upon deck after breakfast, and was very much surprised to see the red flag in the place of the Admiral's. It struck me

me as the most daring outrage I had ever seen in the course of my life.

Q. Did the prisoner at any time give his orders to assemble the people on deck?—A. I cannot pretend to say, I never heard; no such orders were ever given in my hearing.

Q. By whose orders was the sick person whom you represent to have been in irons confined, and for what offence?—A. By order of the mutineers assembled, calling themselves the Committee.

Q. For what offence?—A. Drunkenness—that was Campbell's crime.

Q. When Captain Moss was remonstrating against the impropriety of the men mutinying, was the prisoner's hat off or on?—A. His hat was on.

Cross examined by Parker.

Relating to the punishment of Campbell, do you recollect the master (Mr Bray) being on the gangway?—A. A number of people were assembled; I know he was on deck, but I do not know where.

Q. Do you know of Mr Bray's having been consulted as to the punishment of that man who was beastly drunk with small beer?—A. I do not.

Q. When you mentioned my pointing to the yard-ropes, and saying that I was sure no one would shrink, or if they did they would go to the yard-arm,—did you suppose I meant any thing else than if the people called Delegates were to propose such a thing to the ship's company, that they themselves would be the sacrifice alluded to?

The Court humanely hinted at the dangerous tendency of the question to the prisoner, and he withdrew it, with thanks for the admonition of the Court.

I will ask Mr Snipe no more questions.

Captain Thomas Surridge of the Iris.

Q. Do you know the prisoner?—A. I have seen him several times.

Q. Had you any conversation with him?—No, I had none myself.

Q. Was he ever on board the Iris?—A. I do not know; I was informed he was last Friday week, but I was not on board.

Q. Do you know any thing of the charge against the prisoner?—A. I have seen the prisoner several times passing in the boat with the red flag flying. I saw him parading with the other seamen, with a band of music, through the Blue Town, with the red flag also. I saw the prisoner at the Commissioner's house at Sheerness, in conversation with Admiral Buckner and the Commissioners; and as near as I can recollect, he said that he could envy no officer the command that they held, for he had experienced a great deal of trouble and difficulty in the situation in which he was placed, or words to that effect.

Q. Did he say this modestly and respectfully?—A. Yes, at that time he behaved with respect and modesty. I saw him also another night: the last night he was on shore before the mutiny at the Nore. He went to the commissioners with two delegates, one from the Nassau, and one from the Standard. I do not know their names. One, as I understand, was the man who has since shot himself. He took a paper out of his pocket, and gave it first to one of those delegates, and then to the other, and asked, whether it did not contain the demands or resolutions of the North Sea Squadron?—They returned the paper again, and said it did.

He then gave the paper to Commissioner Hartwell, who, after reading it, told the prisoner that he was sorry to find it contained so much fresh matter; that he could not think of going to London with it,
but

but that, had they confined themselves to the last articles, he (Parker) had shewn that morning, he would have gone to the Admiralty with them. Commissioner Hartwell told them, if they were determined to insist on those last articles, it would be unnecessary for him to take any farther trouble in the business. I do not recollect the reply of the prisoner, but I believe he went off with the determination not to return again.

Q. At the time you observed the prisoner passing in the boat with the red flag flying, were there any persons sitting on the stern-sheets besides the band of music?—A. I do not recollect whether the band was there or not; there were some other persons.

Cross examined by Parker.

Q. Do you recollect that I desired Commissioner Hartwell to converse with the delegates of the North Sea Fleet, and endeavour to convince them, as the four last articles which were objected to, were presented by that fleet?—A. I do not recollect. I supposed they were the demands of the North Sea Fleet.

Q. Do you recollect that I said a conversation with them would be more proper, as they had presented the articles?—A. I do not recollect.

Captain Dixon, sworn,

Knew the prisoner; heard of the charge against him; has heard he belonged to the Sandwich; remembered well, on or about the 20th of May, I accompanied Admiral Buckner to the Great Nore. The Admiral's flag was hoisted on the bow of the boat, and the Admiral was in his full uniform. The Admiral went for the express purpose of notifying his Majesty's most gracious pardon to the crews of the several ships under his command. In going on board the Sandwich, he was received without any of

those marks of respect due to his rank as a Flag-officer. Instead of accepting the King's pardon, Parker, the prisoner, presented new propositions, to be redressed under the head of grievances. The Admiral was detained on board the Sandwich upwards of three hours, in consequence of the ship's company, I apprehended, not coming to a speedy determination, respecting the propositions presented by the prisoner; at the end of which time they were presented by Parker to Admiral Buckner in his cabin. The Admiral returned on shore, being suffered to leave his ship without any marks of the respect due to his rank. As the man-ropes were on the yards, the yard-ropes rove, and the Admiral treated with so much disrespect, for which the officers seemed extremely concerned, not having it in their power to treat their Admiral with a proper and usual respect, I considered the crew to be in a high state of mutiny.

That was the whole respecting that one visit. Several days afterwards I was at Commissioner Hartwell's house; the Admiral, who was there, had it reported to him, that two marines belonging to the ships at the Great Nore, had been brought for examination. As I advanced to the fore-door I saw the prisoner, who asked me if the Commissioner could be spoke with? my answer was, I believe he was to be spoke with. The prisoner came in, accompanied by one Davies, and demanded to know if the soldiers had brought the marines there?—Admiral Buckner asked him, what right he had to make any such demand? The prisoner said, "I am not to be intimidated; your flag is struck; you have no authority here; I or we (I do not recollect which) command the fleet." Parker the prisoner immediately took up a pencil, and put questions to the marines. He was suffered to interrogate them, and take them with him. During this last interview with Admiral Buckner, he behaved with the most daring insolence and contempt, I have frequently
seen

seen the prisoner leading a body of men, whom they called Delegates of the fleet, passing with the red flag displayed in procession. These are the particular circumstances Mr Bridport, that I can bring home to my recollection.

The prisoner asked whether he (Parker) did not do all in his power to induce the crew of the Sandwich to shew Admiral Buckner every respect?—A. You did.

COURT.—Do you remember any particular conversation between the prisoner and Admiral Buckner?—A. Parker said to Admiral Buckner, that neither he or they had any business there. I remember to have heard it said by Admiral Buckner, that as he, Parker, and the rest of the delegates of the fleet had pledged themselves to accept the same indulgences which had satisfied their brethren at Spithead, it astonished him (the Admiral) to find new propositions advanced. The Admiral was certain they could not be granted. I think the prisoner, with five other delegates in the cabin, said it was the determination of the ship's company to abide by the latter propositions.

Captain Dixon having retired about four o'clock, the President suggested the propriety of adjourning the Court till next day, which the members agreed to. And it was declared that the Court should proceed to actual business to-morrow, at nine o'clock precisely.

SECOND DAY.—June 23d.

The Court met this morning at ten o'clock.—The *Judge Advocate* said, that the prisoner had stated to him, that he would dispense with the attendance of Lord Northesk and Capt. Knight.

COURT.

COURT.—If you think them of any service to disprove the charge against you, you had better call them.

PARKER.—I do not think they could disprove the charge, but they might give evidence as to the propriety of my conduct. I however think I shall dispense with calling them.

The word *dispense* occasioned some difficulty with the Court. It was observed, that a person might dispense with what was of the greatest use to him, and that the prisoner might alter his opinion to-morrow or next day, or even in five minutes. The Court was cleared; and after deliberating about 20 minutes, it was decided, that, being evidence called by the prisoner, they should continue to attend.

PARKER asked the following question:—Whether, after a Court-martial commences, fresh witnesses, not summoned, are allowed to appear to give evidence?

Capt. Moss, the prosecutor, said, No witnesses had been produced, nor will any be produced against you, which have not been summoned long before the commencement of the Court martial.

PRESIDENT.—It is however, perfectly legal to call them.

The *Admiralty Solicitor* gave his opinion as to the legality, and corroborated the prosecutor's determination.

PARKER.—I am satisfied.

Captain Wood, of the Hound, examined.

Q. Do you know the prisoner?—A. I do perfectly.

Q. Did he belong to the *Sandwich*, and in what situation?—A. I do not know how long he has been on board the *Sandwich*; he was sent from the *Hound* to the tender, in April last.

Q. Please to relate what you know of the prisoner

er making any mutinous assemblies on board the Sandwich, or any other of his Majesty's ships at the Nore, or of any instances of disrespectful language or conduct to his superior officers about the 12th of May?—A. I saw nothing of the prisoner until the 2d of June, at which time he came on board the Hound, on her arrival at the Nore. He told me that he had the honour of representing the whole fleet, an honour which he should never forget; that he had understood that I had been very violent with some of the delegates, and he advised me not to be so violent, as I must take the consequences. He then told me that he did not like the ship's company; that he knew they were attached to me, for which reason he should put the ship in a safe birth, from whence she should not make her escape. He ordered the pilot to get the ship under weigh, and carry her as close to the Sandwich as possible. The pilot told him, it was an improper time of tide. He told the pilot, "that if he did not choose to get her under weigh immediately, he would find means of making him," and at the same time pointing to the yard-rope. The pilot got her under weigh, and dropped her close to the Sandwich, where the prisoner ordered the anchor to be let go. He was then hailed from the Sandwich, to say that we were too near them. The prisoner said, "I think we are, Mr Davies." He immediately turned to the pilot with threatening language: "You have committed one mistake, take care you do not commit another; if you do, I will make a beef-stake of you at the yard-arm." He ordered him to get under weigh again and to moor her between the Sandwich and Inflexible; she was got under weigh, and came upon the Sandwich's quarter, when the prisoner had the hands turned up, and harangued them forward: what passed I cannot exactly say, but I heard him say, that if he found they were not hearty in the cause, that he should be obliged

ged to shift them. He then asked them if they had any complaints against their officers: those that they disliked were to be turned on shore, and those that they liked were to be kept on board. After this a delegate came from the Sandwich, and I was taken out of the ship.—I asked by whose orders this was done? and the delegate said, by order of the President, Parker. I saw the prisoner frequently rowing about with a red flag, and a band of music, with others in the stern-sheets, from ship to ship, talking to the crews, who cheered him as he passed.

Q. What do you know further?—A. I sent two letters on board the Sandwich, one to the Admiralty on service, another a private one; the prisoner brought the letters to me, and told me they could not be allowed to go, without being opened. I took my private letter, and told him he might open the other, if he pleased. One of the men standing by desired him not to open it. The prisoner replied, "Hold your tongue, you scoundrel, or I will have you at the yard-arm." He then told me that he would open the letter, and send it on shore in the sick-boat, in the morning, which was the only mode of communication with the shore. I did not see him open it.

Q. Did he confine you or any of the officers?—A. He did not confine me nor any of the officers. He told me I must have nothing to do with the ship, or any of the officers. He likewise told me and the officers, that he pitied our situation, but that they must go through with it, for the good of the cause they had embarked in.

Q. When the prisoner advised you not to be violent to the delegates, or you must take the consequences, did you think that it was intended to intimidate you, or with a view to save you from any mischief?—A. The prisoner told me, that he advised me as a friend, as he had understood that I had
drove

drove some of the delegates out of the ship, by threatening to put them to death. I had afterwards some conversation with the prisoner, asking him why he would send people on board, to force my men into the business; that they had no complaint, and wished to have nothing to do with it. He told me, that it was for the good of the whole, and they must have to do with it.

Q. You have stated to the Court, that the prisoner desired the pilot to get the Hound under weigh, and the pilot objecting to it on account of the improper time of tide, he, the prisoner, told him that he would find means to force him, pointing to the yard-ropes: were the yard-ropes rove before or after the prisoner's coming on board the Hound?—

A. The yard-ropes were rove by a man belonging to the Pylades, but I cannot say whether by the prisoner's order or not, subsequent however to the prisoner's coming on board.

Q. Who directed the management of the ship after she got under weigh?—A. She dropped with the tide without fail.

Examined by the Prisoner.

Q. You have related, in answer to a question already asked, that I advised you as a friend: I now beg you to recollect, whether, when coming on board the Hound, I said to you, "Captain Wood, the differences existing in the fleet are of a very unpleasant nature: I feel myself in some degree under an obligation to you; therefore, I would advise you to have nothing to do at present, but to let things go on board the Hound as the rest of the ships were proceeding, as I had no doubt, in the course of a day or two at farthest, the officers would resume their former commands?—A. I recollect when he came on board, he said he was obliged to me for sending

sending him back to the tender, for which reason he had come to advise me not to be so violent ; but I do not recollect any thing of the officers resuming their commands.

Re-examined by the Court.

Q. When the prisoner had the hands turned up, and harangued them forward, do you mean that the prisoner ordered the boatswain, or boatswain's mate to turn them up?—A. I heard him order the boatswain's mate to turn the hands up, and send them forward.

Nicholas Flatt, 1st Lieutenant of the Sandwich, examined.

Q. Do you know the prisoner?—A. Yes.

Q. Did he belong to the Sandwich, and in what situation?—A. He did, as a supernumerary.

Q. You will relate to the Court what you know of the prisoner's conduct during the existence of the mutiny on board the Sandwich?—A. In the first part of the mutiny I did not know the prisoner. The first of my knowledge of him was when Admiral Buckner came on board. I saw the prisoner giving a paper to Admiral Buckner, stating the grievances of the fleet. I heard the prisoner say, that he was President of the Delegates of the Fleet. I saw the prisoner going in boats frequently, and acting as commander in them. I do not remember any thing more of him, further than that he was very active in attending the committees. On the 2d of June, the prisoner desired me to come over to the starboard side of the deck, and receive orders: "You are ordered, Sir, said he, to receive 111 men from the Leith Tender, and to give a receipt for them, as usual, as we are accountable for what we do." I replied, that I had received no orders from Admiral Buckner,

Buckner; and that, having no command, my receipt would be of no use. The prisoner said, "We are answerable for what we do." I then mustered the men, and gave the receipt. I was again sent for by the committee on the 4th of June, to give a receipt for 15 men from the Lynn Tender, which I accordingly did: I was told that it was by the prisoner's orders, as president of the committee. On or about the 9th of June, I was a prisoner in the ward-room, when I saw the prisoner passing in a boat under the stern of the ship. I heard three cheers given overhead to him. The prisoner turned round and said, he was going on board the Director, to bring a spring upon her cable, and to send her and them (meaning I believe the Repulse) to the devil. The Repulse was then aground in the Medway, on her way to Sheerness harbour. I saw the prisoner go on board the Director, and perceived him put the spring upon her cable; when a heavy fire commenced upon the Repulse from that ship. I did not see the prisoner return. On the 13th of June, I was released from confinement, and in the afternoon of that day was confined again. On or about the 14th, the prisoner came down and released the whole of the officers from the ward-room, telling us we might walk the deck, but could not be suffered to hold any conversation with the people. The prisoner was sent for by Mr Mott, the Lieutenant, the same day on which we were released. All hands came upon deck, being called upon by the prisoner's orders, and were informed by him, that Mr Mott was to go on shore, to bring with him his Majesty's pardon. He asked the people if they were willing that Mr Mott should go? The answer was, that they were willing; and the men expressed a wish that the ship should be given up to the officers. Some of the people wished the white colours to be hoisted, and the blue ensign to be hauled down, before Mr Mott went on shore.

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Several of the people came forward, and the prisoner said to me, that if we changed the colours, three ships astern should fire at us. I called out, Stop the colours from being hoisted, until Lieutenant Mott returns; and the people agreed to my request. Mr Mott went on shore, and brought back with him the proclamation. The prisoner ordered all hands up, and the proclamation was read upon the quarter-deck, by one of the clerks, who was deputy purser. The prisoner then spoke to the people, and asked them, if they were willing to accept of his Majesty's pardon, and to give the ship up to the officers, or let her remain in their own possession, or, as the prisoner termed it, *with us*? The people all answered, "To the officers," except the prisoner, and two others now in custody, namely, Jones and Davies, who said, that the ships astern should fire upon them if they altered their colours. Lieutenant Mott, myself, and the people called out to change the colours. I said, they might fire and be damned: the prisoner said, "Then we will give three cheers;" and he joined in them. I demanded the keys of the magazine and small arms, which was complied with by the prisoner, who said, "Here are the keys of the magazine, and the charge of the ship I give up to you as the senior officer." I then gave orders to unmoor ship. The prisoner came to me, and said, that if I offered to unmoor, the ships astern should fire upon us; I told him I did not care: he said, he was ready to come and work at the capstern, and asked me if I meant to confine him: I told him I would order him to a cabin, with two centinels over him: he refused to go, and said he would heave at the capstern. About half past nine on Tuesday in the evening, I consulted with the officers, whether it was proper to confine the prisoner before we got under weigh, or defer it till after we reached the garrison of Sheerness. It was agreed that we should

confine

confine him immediately. Lieutenant Mott and myself, went on the quarter-deck, where we found the prisoner. Lieutenant Mott laid hold of the prisoner by the collar, brought him down below decks, put him in Lieutenant Bamp's cabin, and there placed two centinels over him. On the following morning, I went down, and put the prisoner in irons. This is all I remember, except the prisoner's going on shore by Captain-Moss's orders.

COURT. At the time of your putting the prisoner in irons, was it occasioned by any new signs of violence on his part?—A. No: it was in compliance with the orders of Admiral Buckner.

Q. Previous to your release, had the major part of the men of war sailed, or separated from the Nore?—A. Several of them had separated at the time.

Q. What reasons were given, and by whom, for your release?—A. The prisoner himself released us, but gave us no reason for so doing.

Q. Do you know if the prisoner had been accosted, or commanded by any person to release you?—A. I was informed that a black man, named John Campbell, had demanded our release; but we did not hear him make the demand.

Q. When you saw the prisoner go to the Director from the Sandwich, was there any person in the stern-sheets of the boat with him?—A. I do not recollect any, except the boat's crew.

Q. In the course of your evidence, you have distinguished the prisoner by the appellation of President; did you know, during the existence of the mutiny, that the prisoner ever assumed any other title, or was he ever addressed by the crew with any particular mark of distinction?—A. Not to my knowledge: he called himself President of the Committee; I never knew him by any other title.

Q. What commands did you observe the prisoner give when he acted as a commander in the boats?—

A. He ordered the boats to be manned; which order was complied with. When he went over the side, the hands were piped over to attend by the boat-swain's mate.

Q. What was the conduct of the prisoner when you delivered up the keys of the magazine to him?

—A. Did not give them to him; they were not then in my possession.

Q. If you were a prisoner in the ward-room, how could you observe the compliments paid to the prisoner by the crew?—A. I was confined only for a few days.

Q. After the officers were suspended from their commands, who was understood to be the principal commander of the mutineers?—A. I do not know: the master was appointed for a time; Davies afterwards commanded the ship.

Q. When Davies commanded above, in what situation did you consider the prisoner to be?—A. As President, from whom, I understand, Davies received his orders.

Q. Do you remember seeing, during the mutiny, any plan of defence of the ships hanging upon the Sandwich's quarter-deck, under the poop?—A. No.

Cross examined by Parker.

Q. You have related being on the quarter-deck after the return of Lieutenant Mott from Admiral Buckner with a proclamation; were you present the whole of the time of its being read and taken into consideration?—A. Yes I was.

Q. Do you recollect my begging the ship's company to deliver up the ship to the officers, and trust to his Majesty's clemency?—A. I do not recollect your begging the ship's company, but merely asking them if they were willing to give up the ship.

Q. When

Q. When the white colours were hoisted, did you not hear me say publicly, that it was the happiest moment I had felt for a long time?—A. I do not recollect any such words; the noise and confusion might prevent me from hearing them.

Q. When the fore-top sails were unloosed, did I not, in the most respectful manner, come on the quarter-deck, and point out to you, that the intention of the crews of the Inflexible, and two more line of battle ships astern, whom I was afraid of from their violent tempers, and who kept springs on their respective ships, was to rake the Sandwich every shot; assuring you at the same time, that I did not dictate, but begged in that one instance to be excused, advising that the Sandwich might not be got under weigh, for her own safety, until she was less observed by the ships above mentioned?—A. The conduct of the prisoner was respectful on that occasion, and he certainly offered the opinion mentioned by him.

William Levingston, boatswain of the Director, sworn.

Q. Do you know the prisoner, and did you hear the charge read?—A. Yes.

Q. Did he belong to the Sandwich?—A. I only know that he came from that ship, and was always hailed from her.

Q. Do you remember seeing the prisoner on board the Director upon the day the Repulse got aground in attempting to go into Sheerness harbour?—A. I do.

Relate to the Court his proceedings from the time of his going on board till his departure?—A. When the prisoner came on board, he came aft on the quarter-deck. He requested a boat to go with a flag of truce on board the Repulse, and ordered all hands to be called: the boat was denied; on which he expressed a desire to slip the ship's cable to go along

long side, which was also denied. He next ordered a spring to be put on the cable which was the best bower, to bear her broadside upon the Repulse; when the spring was on, he ordered it to be hove in, and to bear away the best bower. As the ship veered round he ordered the men to point their guns at the Repulse. A gun was about that time fired from the quarter-deck of the Repulse, which was then ashore: the prisoner then gave orders to fire from all decks upon the Repulse, as she had fired upon us: which order was repeated by one of the Delegates of the Director. The prisoner going off the quarter-deck shortly after, I saw no more of him, I being on the poop. The order was complied with.

Q. How long did the Director keep up a heavy fire upon the Repulse?—A. To the best of my recollection the firing continued about half an hour; two and three guns at a time being fired from every deck on the larboard side.

Q. Did you see any other ship with a spring upon her cable firing at the Repulse at the same time?—

A. I saw the Monmouth firing at the same time, but could not discern her spring.

Q. Riding as the ships were to the flood tide, could the broadside of any ship be brought to bear on the Repulse without a spring?—A. Not in that situation of the tide, to the best of my opinion.

Q. Who had the command of the Director when the prisoner came on board?—A. Joseph Mitchell, Captain of the fore-castle.

Q. Was it to him the prisoner applied to slip the cable?—A. He was called for, but I did not see him come forward at the time.

Q. During the time the prisoner was on board, did you see him pointing or firing a gun?—A. No.

Q. Did the prisoner come alone on board?—A. I saw no one else: I observed him for the first time on that day when he came up the quarter-deck.

Q. Who

Q. Who appointed the captain of the fore-castle to the command of the ship?—A. To the best of my opinion, the Committee of the Director.

Q. Had he the command before the prisoner came on board?—A. I believe so.

Q. In the situation in which the Repulse lay aground, could she have brought any of her guns to bear upon the Director?—A. To the best of my knowledge she could not, except the stern-chasers.

Q. What part of the Repulse was the gun fired from?—A. From the larboard side of the quarter-deck.

Q. What was the position of the Repulse with respect to the Director?—A. Her bow, I think, was a little to the southward; she was almost end-on.

Q. Did the prisoner order the guns of the Director to be pointed at the Repulse before or after the firing of the gun from the latter ship?—A. Before the gun was fired.

Q. Who was called when the prisoner requested the boat which was denied him?—A. Mitchell was called, but did not attend.

Q. Was the order of the prisoner for slipping the cables refused by the general voice of the people?—A. Yes—the answer was “No.”

Q. Where were you, and how near the prisoner were you placed, when he ordered the guns to be fired?—A. I was then standing on the arm-chest, at the starboard-side of the break of the poop: the prisoner was then on the quarter-deck, near the place of the foremast-binnacle.

Q. Did the prisoner give his orders to fire by calling aloud to the people?—A. He gave his orders in an audible voice, loud enough to be heard from the quarter-deck to the fore-castle.

Q. Did the delegates repeat these orders on the larboard gangway?—A. Yes.

Q. Who

Q. Who ordered them to cease firing?—A. I do not know; I was on the poop, and saw no more of them.

Q. Did the prisoner remain on board after the firing of the Director had ceased?—A. I do not know.

Cross examined by Parker.

Q. Where were you at the time the boat was refused me?—A. On the fore part of the poop.

Q. Had there been any guns fired at that time from the Director?—A. Not to my knowledge.

Q. Do you recollect my addressing the ship's company of the Director, and pointing out to them how dreadful a thing it was for one brother to be firing upon another, and saying, that if they would allow me a boat, I would take a flag of truce in it, and repair to the Repulse, which I did not doubt would stop the effusion of blood, observing also, that what might happen to myself I should not consider of any consequence, even if I lost my life, to save so many?—A. Yes, I do; it happened when you asked for a flag of truce—*innocent blood* was the term made use of by you.

COURT. Was it before or after the prisoner had given orders to fire, that this conversation took place?—A. Before the orders given.

PARKER. Was there any preparation made for putting the springs upon the cable before I came on board the Director?—A. There had been no preparation for that purpose made before the prisoner came on board.

COURT. Was it possible that any such preparation could have been made without your knowledge?—A. Yes, it was possible.

Samuel Hallard, Carpenter of the Director, sworn.

Q. Did you hear the charge read, and do you know

know the prisoner?—A. Yes, I have seen him on board the Director.

Q. You remember seeing the prisoner on board the Director the day the Repulse attempted to go into Sheerness harbour?—A. Yes.

Q. Relate to the Court his proceedings from the time of his coming on board the Director to his departure.—A. The first thing I heard him say was, his asking for a flag of truce to go on board the Repulse, to save the shedding of blood, which was denied him. The prisoner then wanted the ship to go alongside the Repulse, which was also refused by the general voice of the people on the quarter-deck. The ship's broadside was soon after brought to bear by a spring on the best bower-cable, and the firing immediately commenced, the prisoner being, during the whole time, on the quarter-deck. The Repulse had not fired at that time, but immediately after fired a gun from the larboard quarter. The prisoner observed they had returned the fire, and instantly ordered the men to level their guns, from which time the firing continued for a considerable time from all the decks. I did not see the prisoner after he gave that order.

Q. How long did the Director keep up a heavy fire upon the Repulse?—A. To the best of my knowledge, about three quarters of an hour.

Q. Did you see any other ship, with a spring on her cable, firing on the Repulse at the same time?—A. I saw the Monmouth, with a small anchor, carried out; but I believe she had no spring on her cable.

Q. Riding as the ships were to the flood-tide, could the broad side of any ship, in your opinion, be brought to bear upon the Repulse without a spring?—A. Not to my knowledge.

Q. Who had the command of the Director when the prisoner came on board?—A. Joseph Mitchell, Captain of the fore-castle.

Q. Did

Q. Did the prisoner apply to him to slip the cable?—A. I cannot say.

Q. During the time the prisoner was on board, did you see him point or fire a gun?—A. No.

Q. Did you see the prisoner come on board?—A. No.

Q. Who appointed Mitchell to the command of the ship?—A. I cannot tell.

Q. In the position in which the Repulse lay aground, do you think she could have pointed any gun at the Director?—A. None except her stern-chasers.

COURT. You stated in one part of your evidence, that the prisoner wished to carry the Director alongside the Repulse; for what purpose do you suppose that measure was intended?—A. I cannot say.

Q. Was there any apparent inclination among the ship's company to fire at the Repulse before the prisoner came on board the Director?—A. There were several guns cast loose.

Q. Did it appear to you that the people of the Director fired at the Repulse in consequence of the prisoner's orders?—A. I cannot say.

Q. Did you hear the prisoner order a spring upon the ship's cable?—A. I did not.

Q. Was there any spring on the cable before the prisoner came on board?—A. I do not know.

Q. Was it possible for any preparation to be made for that purpose without your knowledge?—

A. It was; I only saw a hawser got up; that happened before I saw the prisoner on board.

Q. In what situation was the Repulse when the hawser of the Director was got up?—A. To the best of my knowledge, the Repulse had then made no preparation to move.

Q. Did you distinctly hear the prisoner give orders to the men to level the guns?—A. I did; and he appeared to me to act entirely from his own mind, without any advice from the ship's company.

Cross

Cross examined by Parker.

Q. Do you recollect whether all the guns on the larboard of the quarter-deck of the Director were cast loose before I came on board?—A. Some were, but I cannot say whether they were all so.

Thomas Barry, seaman of the Monmouth, sworn.

Q. Did you hear the charge, and do you know the prisoner?—A. Yes.

Q. Did you see the prisoner on board the Monmouth at the time when the Repulse was attempting to escape into Sheerness harbour?—A. Yes.

Q. Relate to the Court what you know of his conduct at that time.—A. I did not see him when he first came on board; I saw him first on the fore-castle, where he took possession of the fore-castle guns: I cannot say whether the gun which I attended was fired six or seven times at the Repulse: on loading the gun the seventh time, I spoke to him, and told him not to put the cartridge in without I got a worm: he immediately afterwards ordered the gun to be spunged and loaded; after it was loaded, he was not content with a nine-pound shot, but took a crow-bar, and put the thick end in first: I then took it out of his hand, when he gave me a shove in the back, which knocked me over the heel of the top-mast. After that I was kept on the fore-castle by Vance, Captain of the fore-castle and of the ship. I remained an hour and a half in that situation, when I was ordered down to my birth. I did not, however, stay long below. When I returned on deck, the prisoner was standing on the heel of the spare top-mast. He ordered to get the stream-anchor, to slip our bower, and to lay the ship alongside the Repulse, in order to *send her to bell, where she belonged to*, and show her no quarter. He then told Vance, that he could not stay any longer on

on board the *Monmouth*, as he had to go on board another ship, in order to send her to the *Leopard*, for the purpose of *sending her to bell also*.

Q. Were the guns in general on the larboard side of the *Monmouth*, fired upon the *Repulse*?—A. Yes, they were continually kept firing.

Q. Had the *Monmouth*, before she began firing at the *Repulse*, laid on a small anchor, or had she a spring on her cable?—A. She had a hawser out abaft, made fast to the best bower.

Q. Were the gib and fore-topmasts hoisted to ease the hawser, and to hasten the bringing the *Monmouth's* broadside to bear upon the *Repulse*?—A. Yes.

Q. Do you know by whose orders the gib and stay-sail were hoisted?—A. They were hoisted by order of Vance.

Q. Did you see any other marks of activity in the prisoner while he remained on board?—A. No.

Q. When the *Monmouth* fired upon the *Repulse*, did you see the prisoner point or fire any gun at her?—A. Yes, the sternmost gun on the larboard side: the firing lasted, I suppose, about twenty-five minutes.

Q. How near were you to the prisoner when he held the conversation with Vance to which you have alluded?—A. I was standing by the bits just before the foremast: my gun was the aftermost one on the larboard side.

Q. Do you know whether any guns were fired from the *Monmouth* before the prisoner came on board?—A. There were some fired before I saw him; but he might have been on board before that time.

Cross examined by Parker.

Q. Had you fired any guns yourself, or assisting in firing of them, before you first saw me on board?

—A. No.

Q. Had

Q. Had there been any guns fired from other parts of the ship before the fore-castle guns were fired?—

A. Yes; the quarter-deck guns were fired.

Q. You have been talking a great deal about *Hell*,—I wish to ask you, Whether you have been promised any promotion or reward, for advancing such a *hellish* account?—A. No, I never was promised any thing.

PARKER.—I shall be able hereafter to controvert the evidence of this witness; I have nothing more to say to him.

John Simmerland, Boatswain's Mate of the Monmouth, sworn.

Q. Did you hear the charges read, and do you know the prisoner?—A. Yes.

Q. Did you see the prisoner on board the *Monmouth* at the same time the *Repulse* ran aground in attempting to go to *Sheerness* harbour?—A. I did.

Q. Relate to the Court such particulars of his conduct as you witnessed on that occasion.—A. I saw a great many people assembled on the fore-castle. On going up, I observed the prisoner abaft the fore-mast, standing upon something. He was just going to make a speech. Captain Vance of the fore-castle wished to speak before him; but the prisoner would not allow him. He insisted upon the ship's slipping her cable, which demand the people refused to comply with. He then said, he would go on board one of the outside ships, and make her slip, in order to go along side the *Leopard*, and send her to hell, where she ought to go. During this time the *Repulse* got off the ground. The prisoner soon after came down from his elevated situation, shook his fist, and said, "Damn me, she is off." He directly called the boat's crew of the *Sandwich*, and went away. I know no more of him.

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Q. When

Q. When the Monmouth was firing at the Repulse, did you see the prisoner pointing or firing any of the guns?—A. I did not.

Q. Was there a hawser carried out from the Monmouth, to bring her broadside to bear upon the Repulse?—A. There was one brought alongside by another ship's boat, which was made fast, and a broadside was then fired into the Repulse: the hawser was made fast to the best bower-cable.

Q. Did the prisoner give any directions about carrying the towing line out, or placing the spring upon the cable?—A. I do not recollect.

Q. At the time the Monmouth was firing at the Repulse, did you see the prisoner, with his clothes off, favouring any exertions he was about?—A. I did not.

Q. How long do you suppose the heavy fire from the Monmouth on the Repulse lasted?—A. About two hours, from the beginning to the end.

Cross examined by Parker.

Q. Do you recollect what time I came on board the Monmouth?—A. No.

Q. Do you imagine I was on board when the Monmouth first opened her fire upon the Repulse?—A. I do not know; but I saw a great many of the Sandwich's people on board at that time.

COURT. Did the Monmouth or Director fire first at the Repulse?—A. The Monmouth.

Captain Moss here informed the Court, that he should call no more witnesses to substantiate the charge.

The President then addressed the prisoner in a few words. He said, that the evidence for the prosecution was now closed, and that the Court would be ready to hear his defence to-morrow, provided he thought it could be prepared by that time.

The

The Prisoner answered, that it would be impossible for him to prepare his defence by to-morrow morning, and expressed a hope that every possible indulgence would be extended to him on that occasion.

The President assured him, that it was far from the intention of the Court to hurry him on to his defence. But, at the same time that they felt disposed to grant him every reasonable indulgence, they could not help considering that their time was highly precious, the public service requiring the attendance of most of the officers who composed the Court. He asked the prisoner, at what time he thought he would be ready to proceed on his defence?

The Prisoner repeated his former observation, that he could not possibly prepare his defence by to-morrow morning.

It was at length agreed that he should be allowed till Monday to prepare himself.

The Court adjourned at five o'clock.

THIRD DAY.—*June 24th.*

The Court met, pursuant to adjournment, this morning at ten o'clock.

The Judge Advocate informed the prisoner, that his request to have extracts of the evidence had been taken into consideration; but as a compliance with such a request was quite unusual, it could not be granted.

PRESIDENT. The Court has met to consider and determine as to the time which can be allowed you to prepare for your defence. I think it necessary to inform you, that you have not to expect *one moment* longer than Monday morning.

JUDGE ADVOCATE. In the mean time, whatever you may be in want of, the better to enable you to prepare for your defence, shall be granted you.

The Solicitor of the Admiralty delivered to Parker a copy of his examination taken before the Magistrates at Sheerness, which the prisoner had previously requested.

The prisoner was then furnished with pen, ink, and paper : he was at the same time addressed by the President, and told that he had hitherto had every indulgence shewn him that the present postponement of the trial, by which the country was still longer deprived of the services of so many persons of consequence, who were necessarily detained upon it, was a greater indulgence than had ever been granted to any man in a similar situation ; but he should, notwithstanding, during the remainder of his trial, have whatever he asked for, with a view of enabling him to make his defence, provided it was in the power of the Court to grant it.

The prisoner appeared to be sensibly affected with these marks of mildness and impartiality, for which he thanked the President in a respectful manner.

The Court then adjourned till Monday.

FOURTH DAY.—*June 26th.*

The Judge Advocate informed the prisoner, that in consequence of the request he had made to him for three seamen belonging to the Director, who worked the gun at which he was when that ship fired upon the Repulse, to appear as witnesses in his favour, an express had been sent to Sheerness for them. The Captain of that ship had sent these men, viz. W. Hobbs, George Nicholls, and Samuel Veer ; and they should appear when called upon. The prisoner

soner had also asked for a man of the name of *Hallister*, belonging to the Monmouth, and he was brought on board also.

THE PRISONER'S DEFENCE.

The prisoner produced a written paper, which contained his defence. He read it to the Court. It was to the following effect :

He began by observing, that, as he had been brought up to the sea from his youth, a fact which was very well known to one of the members of the Court, nothing could be expected from him but a plain and simple statement of facts. His defence was not prepared with all that elegance and precision of language, which it might have been, had he been assisted by a lawyer.—Such as it was, however, he was now ready to submit it to the Court. He thanked the Court for the indulgence of time they had granted him, by which he had been enabled to make it perhaps more accurate than it would otherwise have been.

Nothing but a consciousness of his own integrity, and the rectitude of his intentions, could have supported him in the trying situation in which he had been placed. He declared that he entered into the mutiny with the view of stopping the progress of a most dangerous spirit which he found prevailed among the crews of all the ships. He had done all in his power to prevent the bad effects that were likely to arise from this temper of the seamen. All his measures were adopted with that view ; and the proceedings of the fleet would have been much more alarming had he not acted the part he did.

He should now take the evidence in its order, and make a few remarks upon what had fallen from several witnesses.

With regard to Admiral Buckner, he declared he never sported with his feelings. Every communi-

cation he was compelled to deliver to him in the name of the delegates, had been couched in the most respectful terms in which he could state it. It might be asked why he (the prisoner) was fixed upon as president of the committee?—The answer was, he was chosen; and, in the situation in which the fleet then was, it was not possible for any individual to resist such an appointment. He was conscious that matters would have been far worse if he had not entered into the mutiny; every thing he had done was solely for the purpose of conciliation.—What Admiral Buckner had stated with regard to no respect being shown to him when he came on board the Sandwich, could not affect him. He was then on shore; and when he came on board, he told Admiral Buckner that he was sorry he had not been received with the usual marks of respect, and the ships should cheer him if he wished it. The Admiral had stated, that a bustle was made to man the side: He would assure the Admiral that the bustle he observed was made at the risk of his (Parker's) life. An opinion had been propagated on board the different ships, that Admiral Buckner was not competent to settle the discontents subsisting in the fleet; and the Inflexible had declared, that if any respect was shown to the Admiral, they would come alongside of the Sandwich and sink her. Notwithstanding all that had been said respecting the Sandwich, it was not there the mutiny began: It originated in the Inflexible; and there it was always the most violent. Admiral Buckner's flag was hauled down without his knowledge: it was struck, when he was going on shore with the propositions of the Committee.

With regard to the marines who were taken from the Admiral's house, he had acted in that transaction altogether under the command of the delegates. When the marines were taken away, the Admiral
said

said that one of them had been heard using very improper language near Queenborough. The Admiral permitted him (Parker) to examine the marines: and, upon his putting some questions, the Admiral observed, "Now, Parker, you are coming to the point." The marines were then delivered to the delegates, and it was desired that they should be confined when they went on board. This, he understood, was complied with.

When he saw Admiral Buckner after his flag was struck, the Admiral said, "Parker, my flag is struck—consider my feelings." He answered, "I have feelings, Admiral Buckner, and I do consider yours: I am sorry to see it, but it is not in my power to prevent it."

He observed, that Lieutenant Justice, Captain O'Brien, and some other witnesses who followed these gentlemen, had stated that they knew nothing of the prisoner. He had therefore no comment to make upon their evidence.

Mr. J. Snipe, surgeon of the Sandwich, had deposed that he was present at the punishment of a man of the name of Campbell, who, he said, was flogged by his (the prisoner's) orders. The fact was, that this man was punished in consequence of the orders of the committee, for getting drunk, as he said with small-beer. The master of the Sandwich, who had then the command of the ship, allowed that he deserved it, and acquiesced in the punishment.

With respect to another man being put in irons, all that he should say with regard to him was, that this punishment was inflicted on account of his behaving disrespectfully to Captain Moss.

Dr Snipe had further stated, that he was permitted to go on shore: he, however, took care not to return again until Captain Moss resumed his command, though he promised to come on board immediately. He should only remark, that it was not the

the most honourable conduct in that Gentleman to break his promise, especially in the situation the fleet then was with respect to the number of its sick.

Captain Surridge, of the Iris, had said nothing but that he recollected the prisoner delivering the propositions of the delegates of the North Sea Fleet. He should therefore make no remarks on his evidence.

With respect to Capt. Dixon's evidence, the remarks made upon that of Admiral Buckner applied equally well to it.

He came now to Capt. Wood's evidence. He declared that he went on board the Hound solely for the purpose of conciliation. Captain Wood had stated, that he was informed he was ordered out of the ship by him (the prisoner). The person, however, who said so to Captain Wood, had not been produced; nor did the Captain pretend to know who he was. He assured the Court, that he never heard of this order which had been given to Captain Wood, until he stated it himself on Friday. The expression, *beef-steak*, which he was said to have made use of, and applied to the pilot, never came from his lips; nor did he give any order to drop the anchor, as had been stated. He at this moment, before God, would persist in denying these things.

Mr. Flatt had stated he did not know the prisoner at the beginning of the mutiny—I shall say nothing of his evidence now, but shall return to it by and by.

Mr Levingston, boatswain of the Director, and Samuel Ellis, had deposed, that they saw him on board the Director, and he had asked for a boat to go on board the Monmouth. What he had to say on this subject would apply to both these witnesses. He was informed by a delegate, that the Repulse was getting under weigh; and he was immediately ordered to go on board the Director, to endeavour
to

to prevent her from making her escape. He readily undertook this business, as he hoped to prevent the effusion of blood. When he got on board the Director, he observed to the crew, that it was a very melancholy thing that one brother should fight another. He had asked a boat with a flag of truce to go on board the Repulse. His reason for requesting this was, because he observed the Repulse to be aground, and he intended, if he had gone on board with the flag of truce, to remain there, and keep it flying until she got off. This, he was convinced, would have prevented the Director from firing upon her.—All that he did on board the Director proceeded from the feelings of humanity. He sounded the people of the Director, by asking them if they would wish to go along-side of the Repulse; and he was happy to find that they were not inclined to go to such a length.

The evidence of Thomas Barry, seaman of the Monmouth, came next to be commented upon. As to what he had said respecting him (the prisoner) giving orders to fire, he would prove that every word of it was *false*; for he would satisfy the Court that he was then on board the Director. In the same manner he would disprove that part of his evidence when he had asked him (the witness) if he had received any bribe. The truth was, that he went on board the Sandwich in the Ardent's boat; and he went on board the Monmouth after he quitted the Director, with the same view that he had gone on board that ship.

Having now closed his remarks on the evidence, he had very little more to address to the Court. He hoped the strictest investigation would be made respecting the evidence of Barry. "However my conduct," said he, "may have been misrepresented in public prints, and otherwise, I trust I shall soon be cleared from such aspersions. My intentions
' were

were good, and I have prevented much evil.—Justice is allowed to me by my country, and I hope that justice will now be done towards me.”

[The prisoner read his address with much rapidity, and no feeling. He hurried over the whole with a total disregard to emphasis, point, or effect, and his general delivery was marked by a coarseness of speech that failed to produce a favourable impression upon the minds of his auditory.]

The prisoner having concluded his speech, retired for a few minutes. On his return, he was informed by the Judge Advocate, that having animadverted upon the evidence adduced against him, he was not at liberty to descant, or to say any thing more upon that subject. It now remained for him only to call evidence in his defence. The prisoner answered, that he was satisfied. He then proceeded to call his witnesses.

EVIDENCE FOR THE PRISONER.

Earl of Northesk sworn.

COURT. Q. Was you on board the Sandwich?
—A. I was on board on the 6th of June.

Q. Did it impress your Lordship, that, notwithstanding the existing circumstances of the fleet, the seamen were loyal?—A. Yes.

PARKER. Q. Does your Lordship recollect a mark of loyalty in me when coming into the cabin, that I ordered the band to play “God save the King?”—
A. I recollect, that, on my coming to the cabin, the prisoner did so.

COURT.

COURT. What situation did the prisoner appear to be in, when you came to the cabin?—A. He appeared to be the principal of the delegates.

Q. Was he as their chief?—A. He was.

Q. Did your Lordship receive from the prisoner a letter now produced?—A. I did.

Sandwich, June 6.—Three P. M.

" To Capt. Norbeck,

" You are hereby authorised and ordered to wait upon the King, wherever he may be, with the Resolutions of the Committee of Delegates, and are directed to return back with an answer to the same, within fifty-four hours from the date hereof.

" I have likewise to inform you, that an oath has been taken by the Delegates of the Fleet, that they never have had any communication with Jacobins or Traitors.

R. PARKER, President."

Q. Was your Lordship present at the writing of that letter?—A. I was present at the writing of the latter part.

Q. Does your Lordship recollect seeing a show of hands from the delegates, expressive of their wish that this part of the letter should be inserted?—A. I remember it was their wish it should be known they were not Jacobins nor Traitors.

Captain Knight sworn.

PARKER. Do you recollect being on board the Sandwich?—A. Yes; more than once.

Q. Were you ever impressed with any mark of loyalty shown by the people assembled on board?—

A. I heard "God save the King," "Britons, strike home," and "Rule Britannia," played by the band; and I heard them express a respect and veneration
for

for their Sovereign. Further, I think I heard the prisoner say, that if there was a certainty that the enemy's fleet were at sea, that they would take the ships under their direction, and go in search of them. He said also, that if the Dutch fleet were then in the Texel, he would lead the fleet in, and attack them, in order to prove to the nation that they were neither Rebels nor Traitors.

Capt. Moss. Do you remember the flags hoisted on board the Sandwich on the 29th of May and 4th of June?—A. I was not at the Nore on the 29th of May. On the 4th of June, I remember seeing the standard at the fore-top-mast head, a plain red flag at the main, and the union at the mizen.

Q. On all loyal days, is it not the practice and custom to hoist the Royal Standard at the main-top-mast?—A. Yes; it is.

COURT. Was it prior to your hearing the prisoner make use of loyal expressions, or after, you saw the Royal Standard displayed at the fore, and the red flag flying at the main?—A. It was on the 8th, when I went on board the Sandwich with the acts of Parliament and his Majesty's proclamation, and heard the expressions to which I have alluded.

Q. Did you receive the letter now presented to you from the prisoner?—A. I received it from one of the delegates or committee-men of my own ship.

This letter was then read. It stated, that the prisoner felt concern for the situation of the Captain, and therefore gave him permission to go on shore, though the officers were to be kept as hostages; and that if he (the Captain) did not return on board in the course of three days, it would be considered as a breach of confidence, and that he must abide by the consequences. It also stated, that they had no connection with Jacobins, and was signed by

“ RICHARD PARKER, President.”

COURT.

COURT. Was the red flag flying on board the Sandwich, when the prisoner made use of the loyal expressions alluded to by you?—A. It was.

Q. Have you ever understood, from the prisoner, or any of the delegates, what the red flag meant?—

A. I recollect, on the 8th of June, when I was on board, asking what it really did mean? when I was informed by the prisoner, or some of his associates, that they wished to establish it, and fight under it, as the Dutch had stolen it from the English.

Q. During the time you were on board the Sandwich, did the prisoner appear to direct the proceedings?—A. I do not remember his giving any direction, but it was he who addressed me. He reported to me when the boat was ready to take me away.

Capt. STANHOPE. How do you reconcile the expressions of loyalty you have mentioned with the treatment you received, by the total annihilation of your authority, the breach of the laws of your country, and the imprisonment of your officers?—A. They are certainly irreconcilable.

The prisoner here wished to know, if he could ask Captain Mofs, the prosecutor, a question?

The President answered, it could not be allowed, unless he was regularly sworn.

Jacob Swanson, Gunner of the Sandwich, sworn.

PARKER. Do you recollect the day on which Admiral Buckner's flag was struck on board the Sandwich?—A. I do not.

Q. Do you know any person or persons who were aiding or assisting in striking the flag?—A. No.

Q. Do you recollect Captain Mofs's having said on the quarter-deck, that as the mutiny unfortunately had commenced, he thought it fortunate I

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happened

happened to be on board the Sandwich, to keep down the spirit of it, as I seemed perfectly moderate?—A. I do not recollect that Captain Moss said any thing of the kind.

Q. Do you recollect, during the mutiny, to have informed me that such conversation had taken place between Captain Moss and his officers?—A. I do not.

Q. Did you ever form an opinion of me personally, that it would make me happy if the fleet could be brought into a moderate way of thinking, and to deliver up the command of the ships to the officers, trusting to our gracious Sovereign for a redress of grievances?—A. I have heard the prisoner express a wish that the affair was settled, at the latter part of the mutiny.

Q. Capt. Moss. Was the prisoner particularly active when the Repulse was aground, and what did he say on seeing her get off?—A. I did not hear him say any thing respecting her getting off. I merely heard him say, when he came on board the Sandwich that evening, that he must get a boat to go on board the Director, to put a spring on her cable; and if his father was on board that ship (pointing to the Repulse) he would send her to hell, for that was where she belonged to.

Q. What do you recollect the prisoner to have said respecting the cause in which he was embarked?—A. I have heard him say that it a good cause, and that there was no doubt but they should gain their point.

COURT. What point do you suppose he meant?—A. A redress of the grievances of which they complained.

Q. Do you recollect the prisoner giving any directions or orders at any time on board the Sandwich?—A. I do not recollect any particular order given

given by him, except the last I have stated. I was very seldom on deck.

PRESIDENT. Did you ever hear the prisoner, or any person calling himself a Delegate, say what they meant by hoisting a red flag?—A. I do not recollect, nor did I ever ask any of them respecting it.

PARKER. Do you ever recollect my saying to you, what a pity it was that the Inflexible belonged to the fleet; and that, if it had not been for that ship, things would have been amicably settled long since?—A. Yes; I do.

COURT. Do you recollect on what day the prisoner made use of those expressions?—A. I do not.

Q. Do you recollect whether it was before or after the King's birth-day that the red flag was hoisted?—A. No.

Q. At what time of the day did the Repulse get on shore, and what time did she get off?—A. She got ashore about three o'clock in the afternoon, and got off about half past five the same day.

Q. Do you recollect what time of the day the prisoner returned to the Sandwich from the Monmouth?—A. I do not recollect; it was late in the evening.

Q. At the time the prisoner ordered the Sandwich's boat to be hoisted out, was the Repulse on shore?—A. I do not precisely recollect.

Q. At what time that afternoon did the Monmouth cease firing upon the Repulse?—A. The Repulse was off, I think, before the Monmouth ceased firing.

Q. Was it sufficiently day-light for you to see the Repulse anchor in Sheerness harbour?—A. To the best of my recollection, she was in before dark.

Q. Can you recollect whether it was before or after the Repulse went into Sheerness harbour that

the prisoner declared it was a great pity the Inflexible belonged to the fleet?—A. I do not recollect.

Edward Allen, Seaman of the Sandwich, sworn.

PARKER. Do you recollect the day on which the mutiny broke out on board his Majesty's ship Sandwich?—A. No, I do not.

Q. Were you on board that day?—A. Yes.

Q. Did I take any active part in the proceedings of that or the following day?—A. Not to my knowledge.

Q. Do you recollect my frequently complaining to you and your messmates, what a pity it was that things should be carried on in so violent a manner?

—A. I do not recollect your uttering any such words.

Q. Did you ever form any opinion, from the manner of my proceedings, whether it would have given me pleasure to have seen the matter settled?

—A. I know nothing on that subject.

COURT. Did you ever hear the prisoner, or any other person calling himself a Delegate, say what was meant by the Red Flag?—A. No.

Matthew Hallister, Seaman of the Director, sworn.

PARKER. Do you recollect at what time I left his Majesty's ship Director, the day on which the Repulse went ashore in attempting to get into Sheerness harbour?—A. I cannot speak as to the hour or minute, but it was late in the evening.

This witness being a prisoner, Parker did not think proper to press any other question upon him, lest it should lead to criminate himself.

COURT. Did you ever hear the prisoner, or any other delegate, say what was meant by the red flag?

—A. I feel myself called upon to declare before God, that I did not know what the red flag meant.

Thomas

Thomas Barry, seaman of the Monmouth, (who had given evidence on the part of the prosecution) called and sworn.

PARKER. What time of the day was it that you stated me to have fired the fore-castle guns of the Monmouth upon the Repulse, as she was endeavouring to get into Sheerness harbour?—A. About four o'clock, to the best of my knowledge.

Q. You stated to the Court that you were confined by order of a man whom you called Captain Vance: what time did that confinement commence, and how long did it continue?—A. My confinement began about a quarter after four, and ended about a quarter before six.

Q. You related on Saturday that I gave you a shove over the head of the fore-top-mast: at what time did that transaction take place?—A. It was close upon four o'clock.

Q. Do you not think that it was possible for you, in the hurry and confusion of things on board the Monmouth, to mistake me for another person?—A. No.

Q. At what time did the transaction happen of the crow-bar being introduced into a gun, with an intent of being fired, which you have represented to have taken place?—A. About ten minutes before four o'clock.

Q. Was the person who introduced the crow-bar with part of his clothes off, or the whole of them on?—A. He pulled of a short or half coat; he had waistcoat on.

Q. What time was it when the discourse related by you took place between myself and the man you called Captain Vance?—A. About half past four.

Capt. Moss. Is it within your knowledge that any boat escaped from the Monmouth the evening of her firing on the Repulse?—A. I do not know.

PARKER. This evidence speaks of my pulling off a half coat—I have no such thing as a half-coat belonging to me ; and I assure the Court, and I can prove my being at another place at the time the transaction took place.

W. Hobb, Seaman of the Monmouth, sworn.

PARKER. Look at me—do you know me?—

A. I never saw the prisoner in my life, to the best of my knowledge.

PARKER. Then I have no questions to put to you.

PRESIDENT. In what part of the ship were you when the Monmouth was firing upon the Repulse?

—A. I was quartered on the forecastle, but I was mostly between decks.

George Nicholls, Seaman of the Monmouth, sworn.

COURT. Do you know the prisoner?—A. No, I never saw him before.

Q. In what part of the ship were you stationed when the Monmouth fired upon the Repulse?—A. I was quartered on the forecastle, but never came up.

Samuel Veer, Seaman of the Monmouth, sworn.

PARKER. Look at me—do you know me?—

A. No, I do not ; I never saw the prisoner before, to my knowledge.

COURT. In what part of the ship were you placed during the firing of the monmouth upon the Repulse?—A. On the forecastle part of the time, and between decks for the remainder.

Q. At what gun of the forecastle were you stationed?—A. At the second gun. I remained on the forecastle about a quarter of an hour after the firing commenced.

PARKER. During the time you were on the fore-castle,

castle, did you observe the transaction of a crow-bar being introduced into a gun?—A. No.

Q. How long did the firing last?—A. About an hour.

The prisoner here said, he had no more witnesses to call, but requested that he might be permitted to put a few more questions to Matthew Hallister, who was accordingly re-examined by him.

PARKER. Can you recollect any thing near the time of my quitting the Director on the day before alluded to?—A. It was some short time before the Repulse got adrift. I cannot state the hour.

Q. Had not the Monmouth ceased firing?—A. I believe she had.

Q. Which ship ceased firing first, the Director or Monmouth?—A. I cannot positively say.

Q. Did the Director cease firing before the Repulse got off?—A. I believe she did not.

Capt. Moss. How long had you been below at the time the director was firing, previous to the Repulse getting afloat?—A. I cannot tell; my station being in the magazine, I went down for the safety of the ship.

Q. Were you in the magazine from the commencement of the firing?—A. Not all the time.

Q. How long after the commencement of the firing was it before you went into the magazine?—A. About a quarter of an hour.

Q. How long did you remain there?—A. About twenty minutes.

Q. Where did you then go to?—I went up between decks, as there was a great deal of powder between decks, and matches were carelessly carrying about, to prevent accidents.

Q. How long did you remain there?—A. Backwards and forwards about three quarters of an hour.

Q. Where did you go to from between decks?—A. Upon the main deck.

Q. Had

Q. Had the firing then ceased?—A. Yes it had.

Q. At what hour was it when you saw the prisoner go from the Director?—A. Between seven and eight; but I cannot be certain.

Q. Was it before or after sun-set?—A. It was some time near sun-set.

The prisoner here said, he had no other witnesses to call.

The president reminded the prisoner, that the charges exhibited against him were of the most weighty and serious nature; and if he had any more witnesses upon whom he could now call, he desired him, for God's sake, to avail himself of their testimony.

The prisoner replied, that if the Court would grant him till to-morrow, he should then be prepared to call fresh witnesses.

The president said, no longer time could be allowed him for his defence than the present day.

The prisoner then stated to the Court that he had done. He expressed a hope that the Court would take the nature of his case into their consideration, and put the most favourable construction upon his actions—His willingness to give up the ship in which he was stationed had been proved; and he threw himself upon the indulgence of the Court, to give him credit for the purity of his conduct upon every other occasion.

The Court was cleared at a quarter before two, and re-opened at four, when the prisoner was again brought in. The Members of the Court Martial were all seated, with their hats on.

The sentence of condemnation was then pronounced, as follows:

“ At a court martial held on board his Majesty's
 “ ship Neptune of 98 guns, lying in the River
 “ Thames, on Thursday the 22d day of June 1797,
 “ and

“ and continued by adjournment till the 26th of the
 “ same month—present (*Here the names of the Mem-*
 “ *bers were recited.*) The Court, pursuant to an
 “ Order of the Commissioners for executing the of-
 “ fice of Lord High Admiral, directed to Sir Thomas
 “ Palley, have proceeded to try Richard Parker, be-
 “ ing a person belonging to his Majesty’s fleet, on a
 “ charge for having attempted to make mutinous
 “ assemblies on board the Sandwich, and divers other
 “ vessels at the Nore ; and also on a charge of having
 “ behaved with contempt to the officers on duty, and
 “ having disobeyed his superior officers.—The Court
 “ having heard witnesses in support of the charges,
 “ and also the prisoner in his defence, and the evidence
 “ in support of what he has alledged in his defence,
 “ are unanimously of opinion—That the whole of the
 “ Charges are fully proved, that the crime is as un-
 “ precedented as wicked, as ruinous to the Navy as
 “ to the Peace and Prosperity of the Country : The
 “ Court doth therefore adjudge him to death ; and
 “ he is ordered to suffer death accordingly, at such
 “ time and place as the Lords Commissioners of the
 “ Admiralty, or any three of them, shall appoint.”

Parker, with a degree of fortitude and undim-
 mayed composure which excited the astonishment
 and admiration of every one, spoke as follows :

“ I have heard your sentence—I shall submit to
 it without a struggle.—I feel thus, because I am
 sensible of the rectitude of my intentions. Whate-
 ver offences may have been committed, I hope my
 life will be the only sacrifice—I trust it will be
 thought a sufficient atonement. Pardon, I beseech
 you, the other men—I know they will return with
 alacrity to their duty.”

The

The president then briefly addressed himself to the prisoner. He said, that notwithstanding the enormity of the crimes of which he had been found guilty on the fullest and clearest evidence, yet the Court, in order to afford him the necessary time to expiate his offences, and to make his peace with God, would not then name any day for his execution, but leave that point to the determination of the Lords of the Admiralty.

The prisoner then withdrew, apparently with little or no concern, and was soon after put in irons, in common with the other prisoners.

The behaviour of this unhappy man, throughout the whole of his trial, was firm and manly, and while he was before the Court, Decent and respectful.

He was removed from on board the Neptune, by a counter order from the Admiralty, and received into an armed gun-boat under a strong guard of marines, which sailed immediately for Sheerness: he took a manly leave of all his mutineer associates, those of the Inflexible excepted, which he passed by without notice.

THE EXECUTION.

At eight o'clock, on the morning of the 30th, a gun was fired from on board his Majesty's Ship L'Espion, lying off the garrison, Vice Admiral Lutwidge's flag-ship, and the *yellow flag*, the signal of capital punishment, was hoisted, which was immediately repeated by the Sandwich hoisting the same colour on her fore-top. The Sandwich was stationed rather above Black-stakes, the headmost ship of the fleet. The garrison, on the gun firing, were immediately under arms, consisting

consisting of the East and West York, and West Norfolk Militia, a corps of invalids, and a train of artillery ; all of which with fixed bayonets, marched out of the Sally Port Gate, with their colours flying, and proceeded in single files along the South shore of the Medway, near to Queenborough, in order to be spectators of the event. All the barrier gates of the garrison were now shut, and each ship in the fleet at this time sent a boat off with a lieutenant, and a party of marines, to attend the Sandwich ; and the crews of all were piped to the fore-castle, and the marines drawn upon the quarter-decks, to be witnesses of the execution.

The prisoner, who had taken his usual repast in the birth allotted him in the gun-room, and passed the night in great composure, was awaked a little after six o'clock from a sound sleep, by the marshal provost, who, with a file of marines, composed his guard : he arose with cheerfulness, and requested permission might be asked for a barber to attend him, which was granted : he soon dressed himself in a neat suit of mourning (waistcoat excepted) sent him by a friend of the name of Templar, wearing his half-boots over a pair of black silk stockings : he then took his breakfast ; talked of a *will* he had written, in which he had bequeathed to his wife a little estate he said he was heir to ; and after that lamented the misfortune that had been brought on the country by the mutiny ; but solemnly denied having the least connection or correspondence with any disaffected persons ashore ; and declared, that it was chiefly owing to him that the ships had not been carried into the enemy's ports.

At half after eight he was told the chaplain of the ship was ready to attend him to prayers upon the quarter-deck, which he immediately ascended, uncovered : at his first entrance on the deck, he looked a little paler than common, but soon recovered his usual

usual complexion ; he bowed to the officers, and a chair being allowed him, he sat down a few moments, and steadily surveyed the military array of marines under arms, round the deck ; he then arose, and told the clergyman he wished to attend him : the chaplain informed him he had selected two psalms appropriate to his situation ; to which the prisoner assenting, said, " And, with your permission, Sir, I will add a third," and named the 51st, that beautiful confessional of David, and imploring forgiveness, " Have mercy upon me, O God, after thy great goodness, according to the multitude of thy mercies, do away mine offences !" &c. He then recited each alternate verse in a manner peculiarly impressive. At nine o'clock the preparatory gun was fired from L'Espion, which he heard without the smallest emotion.—Prayers being soon after closed, he rose, and asked Captain Moss, " If he might be indulged with a glass of white wine ?" which being immediately granted, he took it, and, lifting up his eyes, exclaimed—" I drink first to the salvation of my soul !—and next to the forgiveness of all my enemies !" —Addressing himself to Captain Moss, he said, " He hoped he would shake hands with him," which the Captain did ; he then desired " that he might be remembered to his companions on board the Neptune ; with his last dying entreaty to them, to prepare for their destiny, and refrain from unbecoming levity !" —His arms being now bound, the solemn procession moved from the quarter-deck to the fore-castle, in the following order :

1. The boatswain and mates.
2. The provost martial, his sword in one hand, and the halter in the other.
3. Captain's clerk of the Sandwich, bearing the warrant of execution, under the seal of the Vice-Admiral.

4. The

4. The Reverend Mr Atherton, chaplain of the Sandwich, in his robes.

5. The prisoner, in mourning, walking with a firm deportment.

6. The ship's master of arms, with his drawn cut-lafs.

7. Captain Moss, and his Officers, with two or three other gentlemen, who were admitted on board. The whole passed through a double file of marines on the starboard side, to a platform erected on the Cat-head, with an elevated projection. Arriving there, he knelt with the Chaplain, and joined in some devout ejaculations; to all of which he loudly repeated, *Amen*. Rising again, the Admiral's warrant of execution, addressed to Capt. Moss, was now read by the clerk, in which the Sentence of the Court martial, Order of the Board of Admiralty, and His Majesty's Approbation of the whole proceedings, were fully recited, which the prisoner heard with great attention, and bowed his head, as if in assent, at the close of it. He now asked the Captain "whether he might be allowed to speak?" and immediately apprehending his intention might be misconceived, he added, "I am not going, Sir, to address the ship's company; I wish only to declare, that I acknowledge the justice of the Sentence under which I suffer; and I hope my death may be deemed a sufficient atonement, and save the lives of others."

He now requested "a minute to collect himself," and knelt down alone about that space of time; then rising up, said, "I am ready!"—and holding his head up with considerable dignity, said to the boatswain's mate, "Take off my handkerchief," (of black silk) which being done, the provost martial placed the halter over his head, (which had been prepared with grease); but doing it awkwardly, the prisoner said, rather pettishly to the boatswain's mate, "Do you do it, for he seems to know no-

thing about it!" The halter was then spliced to the reeved rope: all this being adjusted, the marshal attempted to put a cap on, which he refused; but on being told it was indispensable, he submitted, requesting it might not be pulled over his eyes till he desired it. He then turned round, for the first time, and gave a steady look at his shipmates on the fore-castle, and with an affectionate kind of smile nodded his head, and said "Good bye to you"—He now said, "Captain Moss, is the gun primed?"—"It is."—"Is the match alight?"—"All is ready."—On this he advanced a little, and said, "Will any Gentleman be so good as lend me a white handkerchief for the signal?" After some little pause, a Gentleman stepped forwards, and gave him one; to whom bowing, he returned his thanks:—he now ascended the platform, repeated the same questions about the gun, evidently to gain the time he wished, for the perfect completion of what he had preconcerted in his own mind, then the cap being drawn over his face, walked by firm degrees up to the extremity of the scaffold, he dropped the handkerchief, put his hands in his coat-pockets with the greatest rapidity, and at the moment as he was springing off, the fatal bow-gun fired, and the reeve-rope catching him, run him up, though not with great velocity, to the yard-arm! When suspended about midway, by the elasticity of the rope, his body appeared extremely convulsed for a few seconds, immediately after which no appearance of life remained.

It being tide of ebb, the starboard yard-arm pointed to the Isle of Grain, where scaffolding was erected for spectators on shore: a considerable number of yachts, cutters, and other craft, surrounded the Sandwich. The last time the prisoner knelt with the chaplain at the cat-head, though he made his responses regularly, his attention was particularly directed the whole time to the armed boats of the fleet, which were plying round on duty. The whole

whole conduct of this awful ceremony was extremely decorous and impressive: it was evident, from the countenances of the crew of the Sandwich, that the general feeling for the fate of their mutinous conductor, was such as might be wished; not a word—and scarce a whisper was heard among them.

The instant he was visible to the garrison, at the yard-arm, the telegraph was put in motion to announce it to the Admiralty; and from the clearness of the atmosphere and quickness of working, the advice must have been received in seven minutes.

He suffered exactly at half past nine, and was lowered down, after hanging at the yard-arm a full hour, when the yellow flag was struck, and his body instantly put into a shell that had been prepared for it, with all his clothes on; and soon after, it was taken in one of the Sandwich's boats, and rowed to the east point of the garrison, and there being landed, was carried to the new naval burying-ground, out of the red barrier gate, leading to Minster. The coffin-lid was here taken off to the spectators for a few minutes; his countenance appeared not much altered, but his eyes were wide open. He was interred exactly at noon.

Parker was about 5 feet 10 inches high, stout made, and between 30 and 40 years of age; the features of his face were prominent and manly, but not indicative of any great degree of mental strength or acuteness. His hair and eyes dark, his complexion rather fallow, and the whole appearance of the man more of a rude mechanic than a seaman. His deportment was more cool than collected; and if that, as well as the tone of his voice, was to be trusted, he was neither of a very ferocious nor a very obdurate disposition.

F I N I S.

Ex. E. M. F.